

# MINTZ LEVIN

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OCT 26 2006

FROM:

**OFFICE OF PETITIONS**

Name	Boris A. Matvenko, Esq.
Date	October 26, 2006
# of Pages	10

To:

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Office of Petitions	USPTO		571-273-0025

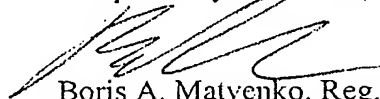
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/658,978 Confirmation No. 3973  
 Applicants : David G. Therrien, *et al.* TC/A.U. : 2165  
 Filed : September 10, 2003  
 Examine : Mofiz, Apu M.  
 Customer No. : 35437  
 Title : METHOD AND APPARATUS FOR STORAGE SYSTEM TO  
 PROVIDE DISTRIBUTED DATA STORAGE AND  
 PROTECTION

Dear Sir,

The Applicants are respectfully submitting by facsimile a copy of this Petition to withdraw the above-pending patent from issue. The original Petition and accompanying documents and references are being hand-delivered to the Office of Petitions at the United States Patent and Trademark Office on October 27, 2006. Should a clarification of record be required, please contact the undersigned representative at 212-692-6858.

Respectfully submitted,



Boris A. Matvenko, Reg. No. 48,165

**STATEMENT OF CONFIDENTIALITY**

The information contained in this fax is intended for the exclusive use of the addressee and may contain confidential or privileged information. If you are not the intended recipient, you are hereby notified that any form or dissemination of this communication is strictly prohibited. If this fax was sent in error, please immediately notify us by phone.

**Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**

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HAND DELIVERED  
Date of Deposit: October 27, 2006

URGENT - EXPEDITED HANDLING  
Atty. Docket. No.: 25452-014

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**OFFICE OF PETITIONS**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the present application are the following papers:

1. Petition under 37 C.F.R. § 1.313(c)(2) to Withdraw from Issue after Payment of Issue Fee (2 pages);
2. Request for Continued Examination (RCE) Transmittal (2 pages);
3. Information Disclosure Statement (2 pages) with Modified Form PTO-1449 (1 page);
4. References A1-A7, B1, C1-C4; and
5. Returned Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (212) 935-3000, New York, New York.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. Reference No. 25452-014, Customer No. 35437.

Respectfully submitted,



Dated: October 27, 2006

Boris A. Matvenko, Reg. No. 48,165  
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